



## **PLANNING DIRECTOR'S HEARING AGENDA**

**WEDNESDAY, January 11, 2006**

9:00 a.m.  
City Council Chambers  
City Hall

200 East Santa Clara Street  
San Jose, California 95113-1905

### **Hearing Officers**

**Jean Hamilton, AICP, Principal Planner**

**Susan Walton, Principal Planner**

**Plan Implementation Division  
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP  
Director Planning, Building, and Code Enforcement**

## NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

## NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **January 11, 2006**. My name is \_\_\_\_\_ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

**If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.**

**The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed.** The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

**Note:** If you have any agenda changes, please contact Gina Robles ([gina.robles@sanjoseca.gov](mailto:gina.robles@sanjoseca.gov)).

## **AGENDA**

### **ORDER OF BUSINESS**

#### **1. DEFERRALS**

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

**The matter of deferrals is now closed.**

#### **2. CONSENT CALENDAR**

##### **NOTICE TO THE PUBLIC**

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **TR05-167. Tree Removal Permit** for a tree of unknown species over 56 inches in circumference that was previously removed without the benefit of permits on 0.15 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the 1146 South Daniel Way (1146 S DANIEL WY) (Simpson & Daisy Felix, Owner). Council District 6. CEQA: Exempt.
- b. **PD05-081. Planned Development Permit** to allow an audio production facility (recording studio) on a 3.6 gross acres site in the A(PD) Planned Development Zoning District, located at the west side of North 4th Street approximately 600 feet north of Burton Avenue (1181 N 4TH ST) (Defranco David M David Defranco, Owner). Council District 3. SNI: None. CEQA: Exempt.

**The consent calendar is now closed.**

#### **3. PUBLIC HEARING**

- a. **PDA03-050-01. Planned Development Permit Amendment** to delete a permit condition for a previously required sound wall for an approved 135 unit residential project on an 8.2 gross acres site in the A(PD) Planned Development Zoning District, located on the south side of Curtner Avenue approximately 750 feet easterly of Highway 87 (Summerhill Homes/Bob Hencken, Developer). Council District 7. SNI: None. CEQA: Addendum to EIR. **Deferred from 12/21/05.**
- b. **H04-010. Site Development Permit** to construct one 3,346 square foot duplex on a 0.16 gross acre site in the R-M Multiple Residence Zoning District, located at the south side of East Virginia Street approximately 150 feet westerly of South First Street (30 W VIRGINIA ST) (Tran Ngoc Van And Le Kim Xuyen,

- Owner). Council District 3. SNI: Washington. CEQA: Exempt. **Deferred from 12/21/05.**
- c. **V05-009. Fence Variance Permit** to allow the construction of a fence 4-feet 6-inches in height setback 5 feet from the sidewalks for an existing single-family detached residential site in the IP Industrial Park Zoning District, located at the northeast corner of Piercy Road and Hellyer Avenue (469 PIERCY RD) (Knea Timothy L And Tena C Et Al, Owner). Council District 2. SNI: None. CEQA: Exempt.
  - d. **H04-036. Site Development Permit** to construct 17,000 square feet of commercial use on a 1.38 gross acre site in the CP Commercial Pedestrian Zoning District, located on the west side of North White Road, approximately 300 feet south of McKee Road. (253 N WHITE RD) (Ali Asghar Kalbali, Owner). Council District 5. SNI: None. CEQA: Mitigated Negative Declaration.
  - e. **TR05-158. Tree Removal Permit** to remove One Pine Tree, approximately 88 inches in circumference, in the R-1-8 Single-Family Residence Zoning District, located at 1254 Norval Way (1254 Norval Way) (Vecenta G. and Charles T. Fissel Owner). Council District 6. CEQA: Exempt.
  - f. **SF05-038. Single Family House Permit** to allow alterations to an existing single-family residence located in the Palm Haven Conservation Area including a 1,000 square-foot, second floor addition resulting in a Floor Area Ratio of 0.41 in the R-1-8 Single-Family Residence Zoning District, located at/on the north side of Palm Haven Avenue approximately 50 feet east of Clintonia Avenue (675 PALM HAVEN AV) (Meyers Michael C And Eleanor L, Owner). Council District 6. SNI: None. CEQA: Exempt.
  - g. **TR05-120. Tree Removal Permit** to remove two Ash trees ranging from 60 to 70 inches in circumference on a 0.18 gross acre site in the R-1-5 Single-Family Residence Zoning District located at 3742 Deedham Drive (Jeffrey and Michele Marsh, Owner). Council District 8. CEQA: Exempt.
  - h. **HA98-001-01. Site Development Permit Amendment** to remove one Modesto Ash, 100 inches in circumference, on a 12 gross acre site in the R-M Multiple Residence Zoning District, located at/on the north side of Fruitdale Avenue, approximately 700 feet westerly of Leigh Avenue (1919 FRUITDALE AV) (Spieker Richard T And Catherine R, Owner). Council District 6. CEQA: Exempt
  - i. **SF05-042. Single Family House Permit** to allow an addition that will result in a floor area ratio of 48% (total house size of 3,022 square feet excluding garage) in the R-1-8 Single-Family Residence Zoning District, located at/on the west side of Craig Drive approximately feet 400 feet north of Edsel Drive (1031 Craig Drive). (Luk Un Lo, Owner). Council District 1. SNI: None. CEQA: Exempt.

**This concludes the Planning Director's Hearing for January 11, 2006. Thank you.**

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/default.asp>

PUBLIC INFORMATION COUNTER

(408) 535-7800 CITY OF SAN JOSE